

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Clay County,            ) Application No. 911-023.28  
Edgar, seeking funding approval        )  
for recurring and non-recurring        ) ORDER GRANTING FUNDING IN  
costs of Enhanced Wireless 911        ) PART  
implementation.                            )  
  ) Entered: May 15, 2007

BY THE COMMISSION:

By written requests for funding both dated August 31, 2006, Clay County, Edgar, sought funding from the Enhanced Wireless 911 Fund for expenses for implementing and providing enhanced wireless 911 service.

In one request, Clay County sought Phase II LEC costs of \$2,500 for initial implementation and an unspecified amount for hourly testing.

In a second request, Clay County sought non-recurring costs in the amount of **\$75,876.80** for Maars system upgrade implemented in July 2001, Orion Map Star software implemented in July 2001, ARC View implemented in April 2003, Motorola Digital upgrade implemented in April 2003, training conducted in 2001 and interest from October 2002 to August 2006.

In a request dated March 8, 2007, Clay County also requested \$7,360.00 in costs associated with an upgrade to its mapping software necessitated by Phase II.

Pursuant to an order in the above-captioned docket entered on March 20, 2007, the Commission denied Clay County's request. Clay County requested a hearing on the denied request with respect to the Maars system upgrade, which was held on **April 17, 2007**.

Bob Rose presented evidence on behalf of Clay County regarding its request. Mr. Rose has also submitted additional documentation supporting the amounts requested. The Commission has reviewed the amounts submitted for reimbursement in comparison with similar upgrades and the supporting documentation provided.

O P I N I O N   A N D   F I N D I N G S

This request for additional funding is being processed pursuant to Neb. Rev. Stat. §§ 86-442 to 86-470. (Cum. Supp.

2006), 291 Neb. Admin. Code, Chapter 1, Section 5, Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002 and the Interim Policy established in Progression Order No. 1 in Commission Docket No. 911-017/PI-116, entered February 13, 2007 (Interim Policy).

This funding request was received prior to February 16, 2007. Pursuant to the Interim Policy, the Commission therefore considers this funding request for full reimbursement without being subject to the wireless/landline allocation factor established in the Commission's February 17, 2007 order.

Based upon the request for funding, supporting documentation and evidence submitted at hearing, the Commission is of the opinion and finds that costs requested for the Arc View upgrade in the amount of **\$1,510.00**; the Maars System Upgrade in the amount of **\$20,910.00**; the Orion Map Star system in the amount of **\$29,021.00**; and the **\$7,360.00** associated with the upgrade to mapping software, subject to the limitations set forth below, are eligible under Neb. Rev. Stat. § 86-465 as all costs have been incurred or will be incurred for the purchase, installation, maintenance or operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.

However, the Commission finds that costs associated with the Motorola Codex 3512 Digital Network Upgrade in the amount of **\$2,132.80** were incurred for the purposes of becoming enhanced landline 911 and are therefore not eligible for reimbursement. Additionally, the Commission finds that wages for training in the amount of **\$105.00** and interest paid on the loan for the purchase of equipment in the amount of \$5,925.00 are not eligible for reimbursement.

The Fund shall therefore pay to Clay County the amount of **\$58,801.00** consistent with the terms of this order and the amounts set forth in Appendix A.

The Commission reserves the right to modify any recurring costs associated with this funding request, including any approved amounts for maintenance, consistent with amendments to the Interim Policy or the establishment of a permanent funding mechanism.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Enhanced Wireless 911 Fund shall pay to Clay County the amount of **\$58,801.00** consistent with the terms of this order and the amounts set forth in Appendix A for the equipment necessary to provide enhanced wireless 911 service.

MADE AND ENTERED at Lincoln, Nebraska this 15th day of May, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director